

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Randall Robert Berka II,

Case No.

1:23-mj-30098

Judge: Morris, Patricia T.

Filed: 03-09-2023 At 04:35 PM

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 9, 2023 in the county of Huron in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(g)(3) and (4)

Prohibited Person in Possession of a Firearm

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: March 9, 2023

City and state: Bay City, MI



Complainant's signature

Adam Ayriss, Special Agent, FBI

Printed name and title



Judge's signature

Patricia T. Morris, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Adam J. Ayriss, being first duly sworn on oath, state that:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been employed since September, 2017. I am assigned to the FBI Detroit Flint Resident Agency. I am responsible for investigating Domestic Terrorism cases (including Racially Motivated Violent Extremism, Anti-Government Extremism, Anarchist Extremism, and Militia Extremism), as well as CT Threat Assessments and Threat to Life matters. As part of my duties, I have investigated federal criminal violations involving firearms violations, possession of explosives, bomb threats, and threats of violence communicated over phone and through the use of the internet. I have participated in dozens search warrants involving the illegal possession of firearms, firearm components, and narcotics.

2. This affidavit is made in support of an application for a criminal complaint and arrest warrant for Randall Robert BERKA II, Date of Birth (DOB) XX/XX/1992, for violations of 18 U.S.C. § 922(g) (unlawful possession of a firearm).

3. I make this affidavit from personal knowledge based on my participation in this investigation, communications with others who have personal knowledge of the events and circumstances described herein, and

information gained through my training and experience. The information outlined below is provided for the limited purpose of securing an arrest warrant and establishing probable cause that BERKA committed the above-listed offense. This affidavit does not contain all details or all facts of which I am aware relating to this investigation.

PROBABLE CAUSE

4. On March 7, 2023, FBI Detroit opened an investigation into an unknown subject making threatening comments on Youtube after Google submitted an online tip to the FBI National Threat Operations Section. Google reported that a user on Youtube channel Elizabeth's Husbando (hereafter The Account) posted multiple threats to kill law enforcement, members of the LGTQ+ community, and government officials. Subscriber information attributes The Account to Michelle Marla Berka at a known residence on Rose Island Road, Sebewaing, MI 48759. The email address associated with The Account as elizadragonaidoruwaifulover69@gmail.com. Google payment records for a wallet associated with the email address indicate The Account is associated with Michelle Berka at the above listed residence.

5. Concerning posts on The Account reported to the FBI by Google include threats to law enforcement, democrats, and LGBTQ members.

Between February 18, 2023 and March 7, 2023, the following posts were made by The Account:

1. “trans freaks and gays lgbt freaks they all need tot die and be genocided its all I tal kabotu aymore is wanting to kill trans freaks when I finally get cancer”
2. “im going to kill these democrats biden deserves to die”
3. “I bought my gun in 556 so when it gets sued on a drag show or tranny blub it goes through a bunch of the and rips the whole crown of freaks apar”.
4. “im gonna kill lgbt freaks and same America”.
5. “you could be like me and get guns and threaten to kill politicians. Im more than willing tot kill whitmer and I do live in Michigan. Ill assault her ugly face with my bullets. She was never s assaulted shes too ugly for it. She let herself be a p hole for the WEF”.
6. “I don’t work I refuse to i buy guns though and plot to kill people in dc openly fuck the feds ill shoot the fbi if they ever show up”.
7. “we have to kill the politicians theres nothing wrong with righteous violence and death”.
8. “I can, I have guns and ill kill lgbt freaks and democrat polioticians”
9. “fuck the feds if fbi ever shows up to talk tot me ill just shoot at them”

10. “laws are meant to be broken I was in a nuthouse many tiems against my will and I have several firearms they’ll have to kill em to take em”.

11. “democrats need to be shot and die”.

12. “queers need to die”

13. “if I ever have to work wit ha tranny freak im going to kill it they don’t deserve to live and should be killed indiscriminately and never forgiven”.

14. “hey fbi! My name is randall the 2nd and I live in sebewaing Michigan and I am willing to kill these people, fuck it I don’t care, fuck the feds, fuck them. Im not mentally ill for needing to be violent towards these people, call the ccops, fuck them. Ill shoot them too. I’ll kill anyone who tries to take my guns. ANYONE. I AM DONE. TRY TO CONFISCATE THEM FROM ME AND I WILL KILL.”

6. On March 7, 2023, The Account was observed with a Display Name of “kill all federal agents on sight and hang biden,” and a handle URL of “@killthefeds420.” Based on my training and experience, I know that 420 is a common reference to marijuana.

7. FBI Detroit conducted database and open source searches for the known residence on Rose Island Road, Sebewaing, MI and identified a


Randall Robert BERKA II, date of birth XX/XX/1992 residing at the residence. FBI Detroit conducted a criminal history check and determined BERKA was involuntarily committed for mental health treatment in 2012. The state of Michigan determined BERKA to be legally incapacitated and appointed Randall Robert Berka Sr as BERKA's legal guardian in 2013. As such, BERKA is prohibited from possessing firearms or ammunition. The FBI conducted database checks and determined that Randal Robert Berka Sr had registered firearms at the residence.

8. On March 9, 2023, members of FBI Detroit Flint Resident Agency located and interviewed Michelle Berka at her place of employment. Michelle advised the FBI that her son, BERKA lives at the Rose Island Road residence with her and her husband. BERKA was involuntarily committed for mental health treatment and has since been treated and medicated numerous times voluntarily. She stated that BERKA uses marijuana daily. Within approximately the last year, Michelle purchased four firearms for BERKA (three long guns and one handgun). BERKA keeps his firearms staged in his room at the residence. BERKA has ammunition for his firearms and has gone to shoot them; he also possesses body armor. Michelle is scared of BERKA, does not think the mental health treatment is working, and believes BERKA should be arrested and put in prison.

Conclusion

9. Based on the foregoing, there is probable cause to believe that on or before February 18, 2023 and continuing until at least March 9, 2023, in the Eastern District of Michigan, BERKA was unlawfully in possession of a firearm in violation of 18 U.S.C. § 922(g)(3) and (4), mental defect or who has been committed to a mental institution, and an unlawful user of or addicted to any controlled substance.

Dated this 9th day of March, 2023



Adam J. Ayriss, Special Agent
Federal Bureau of Investigation

Sworn to before me and signed in my presence and/or by reliable electronic means on this 9th day of March, 2023.



Hon. Patricia T. Morris
United States Magistrate Judge